

REMARKS

Reconsideration and allowance of the above-identified Application in view of the above amendments and the following remarks are respectfully requested.

Claims 6 and 35-37 are pending in the Application, claims 35-37 having been newly presented herein.

The Examiner rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Kubik (U.S. Patent No. 4,869,575) in view of Yamazaki (U.S. Patent No. 5,933,279). Applicant has amended claim 6 to further define that aspect of the invention. The amendments to claim 6 are fully supported by the original disclosure. For example, the Examiner's attention is directed to the ninth embodiment at pages 40-41 of the specification and Figure 10 for an example of support in the specification. Applicant respectfully submits that this obviates the above-noted rejection for at least the following reasons.

Neither Yamazaki nor Kubik disclose, teach or suggest a diffraction element that has a lens function by diffraction effects and arranged at a predetermined position in reference to the prism member in such an image display apparatus as recited in claim 6. Therefore, Applicant respectfully submits that claim 6 is now patentable over Kubik and Yamazaki and request that the rejection be withdrawn.

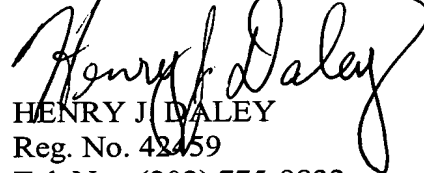
Applicant added new claims 35-37 to claim more fully aspects of the original disclosure. New claims 35-37 are fully supported by the original disclosure. For example, the Examiner's attention is directed to the eighth embodiment at pages 38-40 and Figure 9 in regard to support for new claim 35. Applicant directs the Examiner's attention to page 38, lines 20-24 and 20-28 for an example of support for new claims 36 and 37 in the specification. Since the ninth embodiment is a modification of the eighth embodiment, Applicant respectfully submits that new claims 35-37 should be examined along with claim 6. Applicant respectfully submits that new claims 35-37 are patentable over the references of record for at least the reasons noted above in regard to claim 6. The image display apparatus recited in claims 6 and 35-37 have an advantage that a user can wear it for a long time attached to eyeglass frames since it can be so lightweight while still achieving good image quality. Therefore, Applicant respectfully submits that claims 6 and 35-37 are all in condition for allowance.

The Examiner indicated that the Information Disclosure Statement filed on January 29, 2004 had been considered. Applicant's representative thanks the Examiner for considering the references submitted with the Information Disclosure Statement, but did not receive a copy initialed next to each reference considered. Therefore, Applicant's representative has submitted a fresh copy of the PTO 1449 filed on January 29, 2004 and requests that the Examiner initial next to each reference and return a copy to ensure that Applicant's file is complete.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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PAT-103 5/02 PTO RECEIPT FOR INDICATED ITEMS

Appln. No: NEW CONTINUATION APPLICATION

Inventor(s): NAGAOKA

Title: LIGHT WEIGHT HEAD MOUNTED IMAGE

Atty RCP

Date 01/29/04

C# 61069

M# 307481

ENCLOSED:

☒ Amendment ☐ Appendix ☐ Cover sheet

1 No. of Pages Abstract

64 No. of Pages Spec and Claims

1 No. of numbered Claims only

☒ Declaration (3 #pgs)

☐ Assignment ☐ Cover Sheet

No. of Priority Documents

20 No. Sheets Drawings (Fig(s) 1 to 31) ☒ 1 set Formal

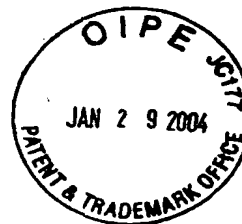
☐ IDS Letter ☐ cited Appl(s) ☐ Foreign sch rept./OA

☒ PTO-1449 ☐ cited docs.

\$ 770.00 To be charged to Dep. Acct. No. 03-3975

Other: Application Data Sheet

CURRENT DUE DATE: None



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